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# TRANSMITTAL FORM

Application Number 10/046,938

Filing Date January 14, 2002

First Named Inventor Suresh K. MITTAL

Group Art Unit 1648

Examiner Name To Be Assigned

Attorney Docket No. 293102002103

Total Number Of Pages In This Submission

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references

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement - 3  
pages☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
below):

1. Form PTO-1449 - 12 pages +  
duplicate copy
2. Two (2) references
3. Return receipt postcard

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison &amp; Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

or

Individual Name

Debra J. Glaister (Registration No. 33,888)

Signature

Date

March 21, 2002

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In the application of:

Suresh K. MITTAL et al.

Serial No.: 10/046,938

Filing Date: January 14, 2002

For: RECOMBINANT PROTEIN  
PRODUCTION IN BOVINE  
ADENOVIRUS EXPRESSION VECTOR  
SYSTEM

Examiner: To Be Assigned

Group Art Unit: 1648

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INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of documents numbered 12 and 13 are submitted herewith. Copies of documents numbered 1-4; 17; 20-22; 33; 35; 40; 45-48; 77; 79; 92; 97; 109-110; 117; 119; 122; 144; 155; 172; and 176-177 were previously submitted in Information Disclosure Statements and Office Actions directed to the related application Serial Number 08/164,292, filed on December 9, 1993; and copies of documents numbered 5-11; 14-16; 18-19; 23-32; 34; 36-39; 41-44; 49-76; 78; 80-91; 93-96; 98-

108; 111-116; 118; 120-121; 123-143; 145-154; 156-171; 173-175; and 178-194 were previously submitted in Information Disclosure Statements and Office Actions, directed to the related application Serial Number 09/435,242, filed November 5, 1999, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

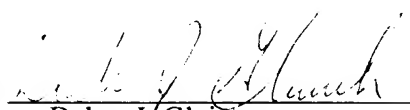
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 293102002103. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 31, 2002

Respectfully submitted,

By:   
Debra J. Glaister  
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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 293102002103

Application Number 10 046,938

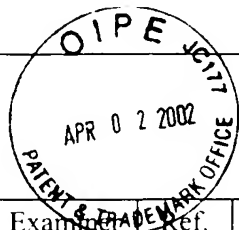
Applicant

Suresh K. MITTAL et al.

Filing Date January 14, 2002

Group Art Unit 1648

Mailing Date March 27, 2002


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## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	06/08/1976	3,962,424	Zygraich et al.			
	2.	04/09/1985	4,510,245	Cousens et al.			
	3.	04/24/1990	4,920,209	Davis et al.			
	4.	06/18/1991	5,024,939	Gorman			
	5.	09/29/1992	5,151,267	Babiuk et al.			
	6.	05/26/1998	5,756,086	McClelland et al.			
	7.	06/23/1998	5,770,442	Wickham et al.			
	8.	10/13/1998	5,820,868	Mittal et al.			
	9.	12/08/1998	5,846,782	Wickham et al.			
	10.	02/16/1999	5,871,727	Curiel			
	11.	07/13/1999	5,922,576	He et al.			
	12.	12/14/1999	6,001,591	Mittal et al.			
	13.	07/11/2000	6,086,890	Mittal et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
	14.	06/25/1986	0 185 573	Great Britain			YES	NO
	15.	06/25/1986	0 185 573	Europe			English equivalent of Ref. No. 15	
	16.	03/09/1988	0 259 149	Europe			See Ref. No. 14	
	17.	09/26/1990	0 389 286	Europe				
	18.	08/10/1990	2,642,767	France			YES	
	19.	08/09/1991	2,657,880	France			YES	
	20.	09/24/1990	2,012,895	Canada				
	21.	11/06/1986	WO 86/06409	WIPO				
	22.	08/08/1991	WO 91/11525	WIPO				

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Form PTO-1449	Docket Number 293102002103	Application Number 10 046,938
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)	Applicant Suresh K. MITTAL et al.	
	Filing Date January 14, 2002	Group Art Unit: 1648
	Mailing Date March 27, 2002	

23.	06/15/1995	WO 95/16048	WIPO				
24.	07/25/1996	WO 96/22398	WIPO				
25.	12/30/1998	WO 98/59063	WIPO				

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

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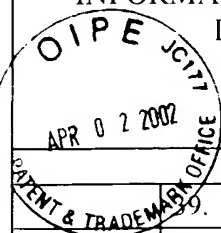
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Application Number 10 046,938

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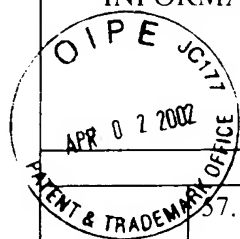
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Filing Date January 14, 2002

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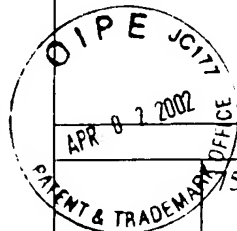
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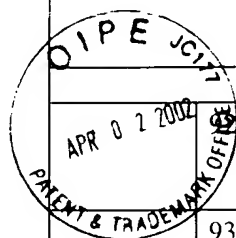
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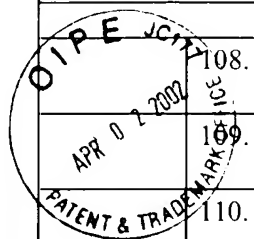
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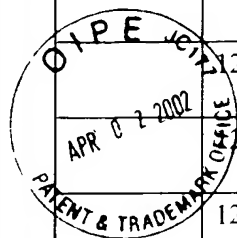
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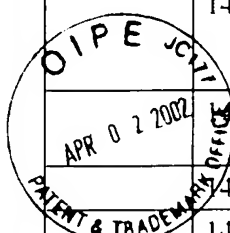
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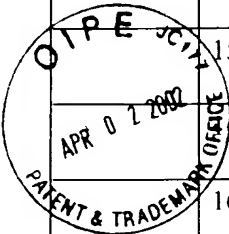
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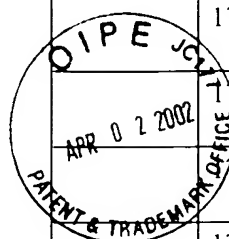
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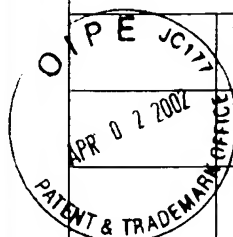
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